



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/679,896	10/05/2000	Soon Sun Shim	1293.114RE	7637

21171 7590 07/16/2003

STAAS & HALSEY LLP  
SUITE 700  
1201 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

[REDACTED] EXAMINER

TRAN, THAI Q

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

2615

DATE MAILED: 07/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

<p>Application No. <b>09/679,896</b></p>	<p>Applicant(s) <b>Shim</b></p>	<p>Examiner <b>Thai Tran</b></p>
		<p>Art Unit <b>2615</b></p> 

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on \_\_\_\_\_.

1/26/03  
2a)  This action is FINAL.      2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 1-57 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) 1-7 and 11-14 is/are allowed.

6)  Claim(s) 8, 9, 15, 20-22, 27-33, 38-40, 43, 44, 48-51, and 54-57 is/are rejected.

7)  Claim(s) 10, 16-19, 23-26, 34-37, 41, 42, 45-47, 52, and 53 is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. 07/953,915.

3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

1)  Notice of References Cited (PTO-892)

4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

5)  Notice of Informal Patent Application (PTO-152)

3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_

6)  Other: \_\_\_\_\_

Art Unit: 2615

### **DETAILED ACTION**

1. The original patent, or a statement as to loss or inaccessibility of the original patent, must be received before this reissue application can be allowed. See 37 CFR 1.178.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 15, 21-22, 28, 33, 43-44, and 54 are rejected under 35 U.S.C. 102(b) as being anticipated by Yuen et al (Canadian Patent No. 2005070).

Regarding claim 15, Yuen et al discloses a method of setting a timer reservation in a device having a plurality of reservation modes (Fig. 1), the method comprising:

selecting one of the reservation modes from the plurality of reservation modes and performing the timer reservation in the one reservation mode (turning the G-code switch 22 on, page 5, line 25 to page 6, line 9); and automatically setting a current reservation mode to the one reservation mode in response to a request for a next timer reservation (turning the G-code switch 22 on, page 5, line 25 to page 6, line 9).

Art Unit: 2615

Regarding claim 21, Yuen et al also discloses the claimed wherein the timer reservation is to set a programmable recording operation (page 5, line 25 to page 6, line 9).

Regarding claim 22, Yuen et al discloses a method of setting a timer reservation in a reproducing device having a plurality of reservation modes (Fig. 1), wherein a last one of the reservation modes in which a last timer reservation was performed has been stored (turning the G-code switch 22 on, page 5, line 25 to page 6, line 9), the method comprising:

receiving a request for a next timer reservation ( page 5, line 25 to page 6, line 9); and automatically setting a next reservation mode to the last reservation mode in response to the request for a next timer reservation (line 25 to page 6, line 9).

Claim 28 is rejected for the same reasons as discussed in claim 21 above.

Regarding clam 33, Yuen et al discloses a device (Fig. 1) for making a timer reservation and which has a plurality of reservation modes, comprising:

an input device (turning the G-code switch 22 on, page 5, line 25 to page 6, line 9)  
selecting one of the reservation modes from the plurality of reservation modes and performing the timer reservation in the one reservation mode; and  
a processor automatically setting a current reservation mode to the one reservation mode in response to a request for a next tier reservation form the input device (page 5, line 25 to page 6, line 9).

Claim 43 is rejected for the same reasons as discussed in claim 21 above.

Art Unit: 2615

Regarding claim 44, Yuen et al discloses a device (Fig. 1) having a plurality of reservation modes wherein a last one of the reservation modes in which a last timer reservation was performed has been stored (turning the G-code switch 22 on, page 5, line 25 to page 6, line 9), the device comprising:

an input device receiving a request for a next timer reservation (page 5, line 25 to page 6, line 9); and

a processor automatically setting a next reservation mode to the last reservation mode in response to the request for a next timer reservation (page 5, line 25 to page 6, line 9).

Claim 54 is rejected for the same reasons as discussed in claim 21 above.

4. Claims 29-32 and 55-58 are rejected under 35 U.S.C. 102(b) as being anticipated by Beyers, Jr. ('305).

Regarding claim 29, Beyers, Jr. discloses a method of setting a timer reservation in a device (Fig. 1a), the method comprising:

receiving a request for the timer reservation (col. 7, lines 39-42);

checking whether a current time has been set before performing the timer reservation (col. 7, lines 42-53);

automatically shifting to a time adjusting mode for enabling a user to enter the current time if the current time has not been set (col. 7, line 54 to col. 8, line 45); and

performing the timer reservation subsequent to the current time having been set or entered by the user (col. 9, lines 39-58).

Art Unit: 2615

Regarding claim 30, Beyers, Jr. also discloses the claimed wherein the timer reservation is to set a programmable recording operation (col. 7, lines 39-42).

Claim 31 is rejected for the same reasons as discussed in claim 29 above.

Claim 32 is rejected for the same reasons as discussed in claim 30 above.

Device claims 55-58 are rejected for the same reasons as discussed in method claims 29-32 above.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 39-40, 48, and 50-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuen et al (Canadian Patent No. 2005070).

Regarding claim 39, Yuen et al discloses all the features of the instant invention as discussed in claim 44 above except for providing wherein the processor comprises a volatile memory which temporarily stores the one reservation mode.

The capability of using volatile memory for storing the reservation mode is old and well known in the art and therefore Official Notice is taken.

Art Unit: 2615

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the well known volatile memory into Yuen et al's system in order to accurately perform the unattended record operation.

Regarding claim 40, Yuen et al discloses all the features to the instant invention as discussed in claim 39 above except for providing a non-volatile memory which stores the one reservation mode.

It is noted that the capability of using non-volatile memory for storing data is also old and well known in the art and Official Notice is again taken.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the well known non-volatile memory into Yuen et al's system in order to retain the stored contents even through power failures.

Claim 48 is rejected for the same reasons as discussed in claim 39 above.

Claim 50 is rejected for the same reasons as discussed in claim 39 above.

Claim 51 is rejected for the same reasons as discussed in claim 40 above.

7. Claims 8-9, 20, 27, 38, and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuen et al (Canadian Patent No.2005070) in view of Beyers, Jr. ('205).

Regarding claim 8, Yuen et al discloses a method of setting a timer reservation in a device having a plurality of reservation modes (Fig. 1), the method comprising:

an automatic reservation mode setting operation in a reservation mode which memorizes the last reserved reservation mode, and automatically sets the memorized reservation mode at the

Art Unit: 2615

next reservation (turning the G-code switch 22 on, page 5, line 25 to page 6, line 9). However, Yuen et al does not specifically discloses an automatic time adjustment implementing operation which shifts to a time adjusting mode where the current time may be set by a user upon inputting a reservation key and upon selecting a reservation mode, when the current time has not been set.

Beyers, Jr. teaches a television system scheduler having the capability of automatic time adjustment implementing operation which shifts to a time adjusting mode where the current time may be set by a user upon inputting a reservation key and upon selecting a reservation mode, when the current time has not been set (col. 7, line 54 to col. 8, line 33) to ensure that the present time is correctly set before any program are scheduled.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the automatic time setting as taught by Beyers, Jr. into Yuen et al's system in order to ensure that the present time is correctly set before any programs are scheduled so that the selected program scheduled in unattended recording mode is correctly recorded.

Regarding claim 9, Yuen et al discloses the claimed wherein said automatic reservation mode setting operation comprises: a reservation mode fetching operation sub-operation which fetches the memorized reservation mode (turning the G-code switch 22 on, page 5, line 25 to page 6, line 9); and reservation mode implementing sub-operation which automatically reserves the fetched last reservation mode and stored the reserved reservation mode as the last reservation mode after the completion of the reservation (turning the G-code switch 22 on, page 5, line 25 to page 6, line 9).

Art Unit: 2615

Regarding claim 20, Yuen et al discloses all the claimed features as discussed in claim 15 above except for providing the steps of:

checking whether a current time has been set before performing the next timer reservation;

automatically shifting to a time adjusting mode for enabling a user to enter the current time if the current time has not been set; and

performing the next timer reservation subsequent to the current time having been set or entered by the user.

Beyers, Jr. teaches a television system scheduler having the capability of automatic time adjustment implementing operation which shifts to a time adjusting mode where the current time may be set by a user upon inputting a reservation key and upon selecting a reservation mode, when the current time has not been set (col. 7, line 54 to col. 8, line 33) to ensure that the present time is correctly set before any program are scheduled.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the automatic time setting as taught by Beyers, Jr. into Yuen et al's system in order to ensure that the present time is correctly set before any programs are scheduled so that the selected program scheduled in unattended recording mode is correctly recorded.

Claim 27 is rejected for the same reasons as discussed in claim 20 above.

Claim 38 is rejected for the same reasons as discussed in claim 20 above.

Claim 49 is rejected for the same reasons as discussed in claim 20 above.

Art Unit: 2615

***Allowable Subject Matter***

8. Claims 10, 16-19, 23-26, 34-37, 41-42, 45-47, and 52-53 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. Claims 1-7 and 11-14 are allowed.

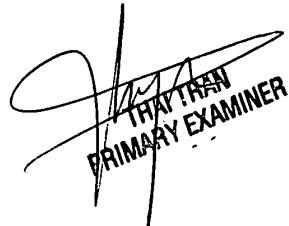
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (703) 305-4725. The examiner can normally be reached on Mon. To Friday, 8:00 AM to 5:30 PM.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be direct to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

TTQ

July 14, 2003



THAI TRAN  
PRIMARY EXAMINER